



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

CYNTHIA A. HARDING, M.P.H.
Chief Deputy Director

313 North Figueroa Street, Room 806
Los Angeles, California 90012
TEL (213) 240-8117 • FAX (213) 975-1273

www.publichealth.lacounty.gov

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March 21, 2013

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

SUBJECT: **NOTIFICATION OF THE USE OF DELEGATED AUTHORITY TO AMEND
FOUR CONTRACTS FOR THE PROVISION OF DRUG/MEDI-CAL SERVICES**

This is to notify you that I am exercising the delegated authority approved by your Board on June 7, 2011, to execute amendments to Drug/Medi-Cal (DMC) agreements that increase or decrease the contractual maximum obligations, pursuant to the federal ruling of Sobky v. Smoley, subject to review and approval by County Counsel, and notification to your Board and the Chief Executive Office.

Pursuant to both State legislation and the federal ruling of Sobky v. Smoley, counties are required to enter into agreements with all State-certified DMC service providers who request service contracts and who demonstrate the ability to comply with all local requirements. Moreover, when these agencies request additional funds necessary to provide services to persons eligible for DMC program services, counties are required to amend the DMC agreements to reflect the additional services and funding. Under the federal ruling, counties have no basis to deny reimbursement for services if the contractor is in full compliance with contractual requirements.

Under the delegated authority referenced above, I will execute the following DMC amendments for the term of July 1, 2012 through June 30, 2014; 100 percent offset by State Realignment revenues as authorized under Assembly Bill 118 and federal Medicaid matching funds:

- 1) Agreement Number PH-001871-3 with Able Family Support, Inc. to increase the annual funding by \$349,132, increasing the annual obligation from \$1,600,868 to \$1,950,000, and the total maximum obligation from \$4,802,604 to \$5,500,868, to provide additional Outpatient Drug Free Services and additional Day Care Habilitative Services. This action also reflects a rate adjustment for fiscal years (FYs) 2012-13 and 2013-14;
- 2) Agreement Number PH-001794-4 with California Care Corporation to increase the annual funding by \$50,000, increasing the annual obligation from \$615,000 to \$665,000, and the total maximum obligation from \$1,760,000 to \$1,860,000, to add Day Care Habilitative Services;

- 3) Agreement Number PH-001814-3 with Helping Kids to Recovery, Inc. to increase the annual funding by \$260,000, increasing the annual obligation from \$584,000 to \$844,000, and the total maximum obligation from \$1,752,000 to \$2,272,000, to provide additional Outpatient Drug Free Services, additional Day Care Habilitative Services, and additional Perinatal Day Care Habilitative Services. This action also reflects a rate adjustment for FYs 2012-13 and 2013-14; and
- 4) Agreement Number PH-001859-3 with The Solution Alcohol & Drug Recovery Foundation, Inc. to increase the annual funding by \$150,000, increasing the annual obligation from \$1,984,000 to \$2,134,000, and the total maximum obligation from \$5,952,000 to \$6,252,000, to provide additional Day Care Habilitative Services. This action also reflects a rate adjustment for FYs 2012-13 and 2013-14.

County Counsel has reviewed and approved the amendments as to form and this delegated authority action.

If you have any questions or need additional information, please let me know.

JEF:nb
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c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors